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can seldom find persons disposed either to occupy or purchase them. There are some instances of proprietors leasing their lands to persons who undertake to cultivate them, for which they receive about one-third of the produce; but this is far from being general, and I imagine can only be accomplished by military men who have the command of troops, and who are thereby enabled to till them by working parties daily sent out for that purpose.[47]

An interesting side light is provided by a Quaker visitor, Candler, who in 1842 wrote that he was struck by the entire equality which seemed to exist between servant and master. Every workman was addressed in courteous manner, as "*mon fils.*"[48] On inquiry, Candler was told that the profits of planting were good that year, laborers were scarce, and it was therefore "necessary to conciliate all by kindness, or no work would be done."

A particularly grim account of the state of cultivation near the close of Boyer's administration (1842) is given by a Frenchman:

> The fields of Haiti are dead. There where under slavery thousands of tons of sugar were made, now one sees only a few crops and a little syrup to turn into raw rum. Lively growths of cactus cover with thorns the acres of cane, of fields, of pastures deserted by the hand of man; the cactus invades the towns, coming even up to the heart of the cities, flourishing in the midst of ruins, as if to insult the inhabitants. . . . On the one hand, no one cultivates with regularity, because everyone is discouraged by the thefts of cane and fruit by people without any moral discipline, and in a country without police; while on the other hand, people complain of being poor, and of not being able to devote enough money to indispensable improvements. . . . And if the proprietors cannot even make work progress, imagine the condition of the poor![49]

As the people grew individually poorer, the value of the land sank until it was useless for an owner to try to prevent squatting on his estate. Holdings grew smaller and smaller, in spite of the prohibition on sales of real estate in parcels less than fifteen acres. Good land might be had in every part of the island quite cheaply, much of it even from the government which had enacted the restrictive law. Any man not satisfied with his condition as a paid laborer might, if

47. James Franklin, *The Present State of Hayti* (*Saint Domingo*), (London, 1828), p. 313.
48. John Candler, *Brief Notices of Hayti* (London, 1842), p. 37.
49. V. Schoelcher, *Colonies étrangères et Haïti: résultats de l'émancipation anglaise* (Paris, 1842), II, 263 ff.

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Cassation at Port-au-Prince. In the event that this court confirmed the judgment of the lower courts, the defendant might still appeal from it to the president, and might apply for a new trial in the lower courts. Thus the contest would proceed ad infinitum, however clear the proof that the debt was just.

The Court of Cassation exceeded all others in the slowness of its judgments. Its judges were under the surveillance of the president, and must consult with him before deciding a case. If he disagreed, and the state was a party to the case, the judges must reconsider "to see if they have not taken a wrong view of the question at issue." Even so, the grand judge might stay execution as long as he deemed advisable after a judgment was confirmed.

Judges were rarely chosen from among trained lawyers, but were appointed by the government because of political considerations. Consequently, few people had any faith in court decisions, and in general they avoided taking their problems to law. The peasants in particular were bewildered by the whole procedure. White foreigners also often complained that unless they were willing to pay heavily they had no slightest chance of getting justice in the Haitian courts.

It must be emphasized that the majority of cases coming before the courts were civil rather than criminal, for it has been a universal matter of comment that the Haitian people were rarely guilty of serious crimes. Minor thefts of poultry or animals have been the commonest breaches of the peace, while murder, arson, and rape have almost never occurred. Even the bitterest critics of the republic have noted the absence of crime.[9] It is noteworthy that, despite their poverty and the hardness of their life, the Haitians are, contrary to the prevailing white man's notion of Negro unreliability, passion, and lawlessness, a tranquil folk. The absence of crime speaks volumes for the wholesomeness of a people much maligned by the stories of their "Voodoo" practices and bloody revolutions. An élite ex-president spoke to me with pride of the honesty of the country people who welcomed travelers with true hospitality and with no expectation of payment. "You might sleep safely in a country cabin with a thousand dollars on your person," he said.[10]

9. Mackenzie, British consul during a part of Boyer's régime, and young Haiti's severest critic, said that during his whole stay he knew of only one murder, and that in his case the assassin was executed.

10. In times of revolution, brigandage was expected but was not accounted a crime, any more than killing in warfare is called murder.

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674 369 Soldiers, then, had no great difficulty policing town and countryside, for there was little more crime in the towns than in rural regions. A person arrested would be haled before the nearest juge de 696 paix who would, if necessary, sentence him to jail—which meant 697 sending him to one of the larger towns. This was rather a severe penalty, for the jails were filthy; moreover, only about ten cents a week was ordinarily allotted to each prisoner for food with the result that if a prisoner's family did not supply him, he was likely to be near starvation. Extra work was required for extra fare. Haiti was probably no worse off in respect to its jails than most European and American countries at the time, for this was before the era of prison reform. Inmates of jails were likely to be only petty thieves.

697 During certain régimes the presidents or their generals managed to have numbers of convicts sentenced to hard work, in order to have forced labor on their private estates or projects dear to them. Under any administration there were likely to be a few convicts who performed repair work on streets and roads. It was the usual practice to chain or rope them together by pairs, three yards apart; accompanied by soldiers with loaded muskets, the convicts labored from daylight to sunset, with an hour and a half for a meal at noon. The government pretended to provide for them, but in order to save expense two of the criminals accompanied by two soldiers with fixed bayonets were sent about the neighborhood to beg for the group. The result was that the wretches went ill fed and half naked. They slept in jail on beds which were little more than boards.

701 175 The final and most persistent branch of government has been the army.[11] Owing to the overmilitarization of Haiti, generals were perennially participating in the civil government—or engaged in overthrowing it. It was to be expected that following the revolution the new independent state formed in 1804 should have a military cast. Dessalines, Christophe, Pétion, Geffrard, Boyer, Cangé, Yayou, Magloire Ambroise, Féron, François, Capoix, Rigaud—these were the great generals and the only important statesmen. It was as if in America not only Washington had been a military leader, but also Adams, Jefferson, Franklin, Jay, Hamilton, Madison, Pinckney,

[647] 11. In most governments there has been a body which, although connected with the legislature, had functions pertaining to the law. This was the Chamber of Accounts, a body of five men who examined into and reported to the president upon every branch of expenditure and collection of revenues. It might recommend to him certain financial reforms or improvements, but had no power to enforce its suggestions.